



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

PLAN COMMISSION MINUTES • DECEMBER 17, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Conrad Hansen	Plan Commissioner	Present	
Dennis Dwyer	Chairman	Present	
Jane Robins	Plan Commissioner	Present	
Patrick Noonan	Plan Commissioner	Absent	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Absent	
Robert Kolososki	Plan Commissioner	Absent	
Stephen Fedota	Plan Commissioner	Present	

Staff present: Ms. Katie Rivard

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Nov 19, 2019 7:00 PM

Ms. Williams made a motion to approve the minutes of November 19, 2019; seconded by Ms. Robins.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Teri Williams, Plan Commissioner
SECONDER:	Jane Robins, Plan Commissioner
AYES:	Hansen, Dwyer, Robins, Williams, Friedman, Fedota
ABSENT:	Noonan, Bettenhausen, Kolososki

III. PUBLIC HEARING**1. 1480 W. Poplar Street**

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on December 2, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Petition for Hearing
3. Proof of Ownership
4. Plat of Survey
5. Plans
6. Clearwater Plat of Subdivision
7. SMC Soil Report dated 9/28/2018
8. Planned Development Ordinance #O-046-02

Sworn in the petitioners: Anthony & Eleni Pecoraro 405 S. Creekside Dr. Palatine, IL

Mr. Pecoraro stated they purchased the property a little over a year ago and were aware of some issues so got for less than market. He stated they did soil borings and found the conditions were worse to the west. He explained they are trying to make it more affordable in foundation price to build the house. Mr. Pecoraro explained they are requesting a setback reduction of 40 feet, which conforms to the property to the north that also has a 40-foot setback. He stated they were not aware the circle drive in front was outside Code which was similar to the original developer's proposal for the property. Mr. Pecoraro pointed out it is unique because it is not a public road which makes it difficult when having guests without a circular drive or a hammer head.

Ms. Robins asked what the soil problems are.

Mr. Pecoraro explained the findings of the soil report which included 3 soil borings that are on the cover sheet of the site plan. He spoke to the water levels of the property stating the neighbor to the north has a sump pump that runs continuously. He spoke to the neighbor's construction process which included excavation at night and sheet pylons to support the slab. Mr. Pecoraro stated he is trying to avoid all that while making a home that is affordable.

Ms. Robins asked if they will still have problems if approved for the change in setback.

Mr. Pecoraro explained referring to site plan slide to show the areas of the soil borings stating the setback change will help reduce the worst case scenario.

Mr. Hansen asked about access to the garage with it feeding from the north side. Mr. Pecoraro explained they will build an asphalt driveway referring to site plan slide.

Sworn in Staff: Ms. Katie Rivard

Mr. Hansen asked about the turn on the site plan slide asking who puts in the street.

Mr. Pecoraro stated he does.

Ms. Rivard explained Mr. Pecoraro is constructing a new drive along Lots 1 & 2.

Mr. Friedman clarified the turn is off Poplar Street.

Ms. Rivard answered that is correct.

Mr. Hansen clarified the home is not really on Poplar Street.

Mr. Pecoraro explained that is the address he was given.

Discussion on the street including responsibility of installation, maintaining and whether it is a private road or a private drive.

Mr. Dwyer asked if the road needs to be built to street specifications.

Ms. Rivard answered yes and it would be covered under the building permit.

Mr. Pecoraro stated he did not know this.

Mr. Friedman asked if the width is adequate.

Mr. Pecoraro explained it is similar to Lots 3 and 4 being a one lane which was part of the reason they were requesting a circular drive.

Mr. Friedman stated the circular drive is kind of a necessity with the narrow driveway.

Mr. Dwyer stated the alternative to the circular drive would be widening the driveway.

Mr. Pecoraro explained it is difficult because the driveway is at the limit of the easement.

Ms. Robins asked if it meets Fire code.

Ms. Rivard answered yes Fire Prevention has reviewed it and has no concerns.

Mr. Pecoraro asked if the driveway has to be street grade.

Ms. Rivard stated that will have to be further discussed.

Mr. Friedman asked if the plans include a basement.

Mr. Pecoraro answered yes explaining it will be unfinished.

Ms. Rivard gave a brief overview explaining the request is to build a single family home 40 feet from the lot line instead of the required 50 feet and do a variation for a circular driveway. She stated the Subject Property was part of Clearwater Subdivision approved in 2002. She stated it is 6 lots with only 3 being developed as several went into foreclosure and changed ownership. Ms. Rivard pointed out the Subject Property setbacks; building and lot coverage are similar to the property to the north. She stated building height and coverage all meet code. She

spoke to Condition #7 on elevations stating the Petitioner has agreed to do hardie board siding and stone veneer, which Village Council will have to approve. Ms. Rivard stated they will construct the drive across both Lots 1 and 2 consisting of a traditional drive up to the side loading garage with an additional turnaround circular drive in the front. She stated the Petitioners have agreed to install additional landscaping between the drive and the neighboring residents to provide additional screening and will be addressed in the landscaping plan that will need to be submitted at the time of the building permit. Ms. Rivard referred to the slide to show existing conditions.

Mr. Hansen asked about the front yard setbacks of the homes to the north. Ms. Rivard answered they are at 40 feet.

Mr. Fedota asked why the property to the north is at 40 feet. Ms. Rivard explained it is due to the high water line.

Mr. Fedota asked if it would make sense to recommend the same setback for Lot 1 for continuity. Ms. Rivard stated the board can express their recommendation, but the Village has not received an application to reduce the setback for Lot 1. Discussion on adding the recommendation.

Mr. Fedota asked about the radius of the turn in the drive from the loading drive. Ms. Rivard stated Staff had no concerns. Mr. Pecoraro stated it is a tight radius but they had a civil engineer review and he didn't have any objections. He explained the purpose was for cars to park to get out of the way not for heavy traffic.

Mr. Fedota clarified he was referring to the side load turn. Mr. Pecoraro explained that is part of their architectural plan and through the process has had an engineer redesigned to be more suitable for a turn and will be address in building permits.

Mr. Fedota asked if the landscaping to the north will extend to the egress corridor. Ms. Rivard explained the Petitioners have agreed to do the landscaping on the east side of the driveway.

Mr. Dwyer clarified the requested driveway width. Ms. Rivard explained how it was calculated referring to site plan slide.

Discussion on private drive vs private street. Ms. Rivard explained the ordinance calls it out as a private drive.

Mr. Friedman asked how the width is calculated. Ms. Rivard explained staff took the widest part of both drives referring to the site plan.

Mr. Friedman clarified the total width is 48 feet not the circular drive.
Ms. Rivard answered yes.

STAFF RECOMMENDATION:

Since the approval of Clearwater Subdivision, only 3 of the 6 lots have been developed, as the property ownership has changed, since the development's approval in 2002. The Petitioners purchased the Subject Property in late 2018 with the intention of constructing a new single-family residence. The Petitioners have requested to reduce the required front yard setback from 50 feet to 40 feet, due to the conclusions made in the geotechnical investigation for this lot. The setback reduction is consistent with the minimum required front yard setback for Lot 3, directly north of the Subject Property, as well as building and lot coverages. Additionally, the Petitioners have agreed to install landscaping (evergreens or other dense plantings) on the east side of the driveway between the neighboring residences.

Due to the uniqueness of the Subject Property and the orientation of the lot, the Petitioners are also requesting approval of a Variation to allow for a circular driveway. As the private drive ends on the Subject Property, the Petitioners have indicated the circular drive will provide a turnaround, as these lots are not located on a traditional public or private street. If the Petitioners did not require zoning relief for the setback and driveway, only Village Council review and approval would be required (per Condition #8 of Ordinance #O-46-02). Therefore, Staff recommends approval of the Planned Development Amendment and Variation, subject to the following conditions:

1. The Planned Development Amendment and Variation shall substantially conform to the site plan, floor plan, and architectural elevations prepared by the Petitioner Mr. Anthony Pecoraro (Benchmark Developers, Inc.), on 09/25/2019, except as said plans may be revised to conform to the Village Code of Ordinances and including revisions to the architectural plans to include Hardie Lap siding.
2. A landscaping plan including additional plantings on the east side of the driveway shall be submitted in a manner acceptable to the Director of Planning and Zoning.
3. A hold harmless letter shall be submitted in a manner acceptable to the Village Attorney, regarding the setback reduction from the privately recorded building line.

Mr. Hansen asked who they are holding harmless in Condition #3.

Ms. Rivard explained this is a typical condition for a setback request when there is a privately recorded building line.

Mr. Hansen asked the Petitioners if they understood.

Mr. Pecoraro answered yes.

Mr. Hansen asked if the Petitioners can and will agree to all staff's conditions.

Mr. and Mrs. Pecoraro answered yes.

Ms. Robins asked if the property has city water and sewer.
Ms. Rivard answered yes.

Mr. Dwyer asked if extensions were needed.
Ms. Rivard explained any conditions were handled when original subdivision was approved.

Sworn in Mr. Symon Arnold 1048 N. Palos Avenue, Palatine, IL

Mr. Arnold spoke to the original request and approvals. He stated the Petitioners were aware of the setbacks, the driveways and the soil conditions. He pointed out this request is financial being that all conditions can be met. He stated the property sat for a long time because of this added cost to build at the approved setback. Mr. Arnold spoke to the setback of the property to the north explaining it was not only because of waterline but because of the way the driveway was feeding in from the north. He spoke to the uniqueness of the property with the front lot line abutting a back lot line. Mr. Arnold expressed concern with the additional asphalt with more than 50% of the front yard being covered. He spoke to the land usage a calculation pointing out more than a third of the property is under water. Mr. Arnold pointed out the length of the property stating they can build the same size house without the variance. He referred to site plan stating the driveway will requires backfill and the lot has already had significant backfill. Mr. Arnold stated the driveway is bigger than the footprint house. Mr. Arnold stated there was a full year of debate with the Village Council that ended in these conditions and is not sure what has changed to accept these variances.

Ms. Robins asked why the house to the north was granted the 40-foot variance.
Mr. Arnold explained the water line was the closest and the driveway was designed to come in at the north rather than from the front of the house and the property line.

Mr. Dwyer spoke to the possibility of reversing the house making it similar to Lot 3 and not require a circular drive.

Mr. Arnold stated there are number of houses with side loading garage that don't have a circular drive. He stated the circular drive would be up on a contour or require backfill.

Mr. Pecoraro stated if they were forced to build with pylons and extreme foundation cases they would be forced to sell the property which will probably be foreclosed and affect property values. He pointed out the calculated surface area of the driveway includes the area that runs through Lot 1 and connects to Poplar Street. He spoke to original proposal that included a circular drive. He stated he doesn't see any condition in the Clearwater Subdivision ordinance about not parking cars in the driveway. Mr. Pecoraro agrees the home can be built with a 50-foot setback, with an estimated additional cost of \$100,000 to \$200,000 in foundation improvements. Mr. Pecoraro indicated that that may be something for the Plan Commission to consider, but that would not be feasible for the Mr. Pecoraro to build. He stated they were aware of the conditions when they bought

the property, but also wanted to take a chance because they like the area.

Ms. Rivard stated if the total square footage of the property was cut in half it would still be within the lot and building coverage standards for the R-2 district.

Mr. Pecoraro referred to the green line on the site plan slide indicating the water line in September. He stated looking at the aerial you can see it is significantly further east.

Mr. Friedman asked if their design team looked at a mirror image.

Ms. Pecoraro answered yes she designed plans herself thought this would be best aesthetically to see the home when you drive up versus 2 garage doors.

Mr. Dwyer asked if the extension off of Poplar is considered Poplar Street or a private drive.

Ms. Rivard answered yes it is Poplar Street, which is a public street.

Mr. Dwyer pointed out according to the aerial it is substandard. He asked if it will be left as is.

Ms. Rivard answered yes at this time.

Mr. Dwyer asked if the residents would responsible for upgrading to a full standard street.

Ms. Rivard answered no not at this time.

Ms. Robins asked if the lots have changed and eroded from lake since the ordinance was approved in 2002.

Ms. Rivard stated she can't answer that.

Discussion on possible differences of the waterline of the properties.

Mr. Dwyer stated he understands the aesthetics of the garage doors but also understands the concern of a lot of asphalt.

Ms. Pecoraro stated they will have enough greenery to make up for the asphalt.

Ms. Robins made a motion seconded by Mr. Fedota to close.

Mr. Dwyer spoke to the uniqueness of the property since there are not many in Palatine that is front yard abutting rear yard. He pointed out the property is pretty isolated so will not have many people driving by.

Mr. Fedota agreed it is a unique situation. He stated the neighbors and others in the community may prefer less asphalt.

Mr. Hansen pointed out staff Condition #2.

Discussion on landscaping /screening possibility.

Mr. Dwyer stated he would personally put the garage on the south side and limit the asphalt. He stated they are very isolated and it won't affect many people or

have thru traffic.

Mr. Dwyer asked if there was any concern with the 40-foot setback.

Ms. Robins stated she doesn't like but understands the reasons behind it. She spoke to the cost increase pointing out they knew it when they bought it.

Mr. Dwyer stated the soil borings test were done later. He stated his own property has water sitting where he has never seen water before and the Petitioners have to be careful putting a foundation where it will later be under water.

Discussion on 40 feet being consistent with lots to the north.

Mr. Friedman expressed concern with the turn radius of the driveway.

Discussion on turn radius.

Discussions on continuing the hearing to a future date until the plans are reviewed by a civil engineer.

Mr. Fedota made a motion to reopen the public hearing; seconded by Mr. Friedman.

Mr. Fedota made motion to table the driveway variance to a date TBD.

Mr. Pecoraro asked if the setback can be approved while reviewing the driveway.

Ms. Rivard explained the civil engineering plans were submitted even though they were not part of the packet.

Mr. Dwyer explained he would like to continue because a good question on the usability of the circular drive.

Mr. Arnold stated the 40-foot line is critical on a public drive but this is private. He spoke to aesthetics once the other homes are built.

Mr. Fedota made a motion to approve the 40-foot setback; seconded by Ms. Robins.

Mr. Pecoraro stated his main concern was the 40-foot setback.

Mr. Arnold clarified this is not approval just recommendations.

Discussion on the next steps for approval.

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to the Community and Economic Development Committee of the Village

Council on a date TBD.

Ms. Williams made a motion to adjourn; seconded by Mr. Fedota.

Ms. Williams made a motion to reopen the hearing; seconded by Mr. Hansen.

Mr. Fedota made motion to table the driveway variance to a date TBD; seconded by Mr. Hansen.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Stephen Fedota, Plan Commissioner
SECONDER:	Jane Robins, Plan Commissioner
AYES:	Hansen, Dwyer, Robins, Williams, Friedman, Fedota
ABSENT:	Noonan, Bettenhausen, Kolososki

IV. COMMUNICATIONS

Ms. Rivard provided an update on past projects and indicated the first meeting in January was cancelled.

V. ADJOURNMENT